

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15789 of 2018

Arising Out of PS. Case No.-47 Year-2017 Thana- KINJAR District- Jehanabad

Krishna Kumar @ Krishna Yadav S/o Late Ramanand Singh, R/o Village-
Gulariachak, P.S.- Kurtha, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Soni Shrivastava
For the Opposite Party/s : Mr. Sri Ajay Kumar-I

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Kinjar P.S. case no. 47
of 2017 instituted for the offence under Section(s) 327,385, 406
and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that from the
allegation in the written report no offence under Section 406 of
the I.P.C. is made out. The Offence under Section 385 I.P.C. is
bailable. It is further submitted that there is dispute between the
parties for labour payment.



In the written report, it is alleged that this petitioner has given contract work to the informant for construction of the roof of the godown. The informant made demand of his wages which was refused by the petitioner. It is further alleged that the petitioner kept the centering material of the informant and did not return back the same.

In this manner, from the written report itself it is apparent that there is dispute between the parties for payment of wages.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Kinjar P.S. case no. 47 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM Arwal, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and



(3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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